

**MINUTES
TO BE
APPROVED**

**MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING**

Wednesday, February 26, 2014

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

COUNCIL: Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, Ben Southworth, and Justin D. Stoker. Councilmembers Chris M. McConnehey, and Chad Nichols were excused

STAFF: Richard L. Davis, City Manager; Jeffrey Robinson, City Attorney; Melanie Briggs, City Clerk; Tom Burdett, Development Director; Ryan Bradshaw, Finance Manager/Controller; Marc McElreath, Fire Chief; Wendell Rigby, Public Works Director; Doug Diamond, Police Chief; Greg Mikolash, City Planner; Robert Thorup, Deputy City Attorney; Bill Baronowsic, Traffic Engineer, and Jim Riding

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 5:01 p.m.

II. CLOSED SESSION

**DISCUSS PENDING OR IMMINENT LITIGATION, AND DISCUSS
PERSONNEL ISSUES**

COUNCIL: Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, and Justin D. Stoker. Councilmember Ben Southworth arrived at 5:10 p.m. Councilmembers Chris M. McConnehey, and Chad Nichols were excused.

STAFF: Richard L. Davis, City Manager; Bryce Haderlie, Assistant City Manager; Wendell Rigby, Public Works Director; Jeffrey Robinson, City Attorney, and Robert Thorup, Deputy City Attorney

MOTION: Councilmember Hansen moved to go into a Closed Session to discuss pending or imminent litigation, and discuss personnel issues. This motion was seconded by Councilmember Haaga.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Absent
Councilmember Southworth	Absent

Councilmember Stoker
Mayor Rolfe

Yes
Yes

The motion passed 4-0

The Council convened into a Closed Session to discuss pending or imminent litigation, and discuss personnel issues at 5:03 p.m.

Councilmember Southworth arrived at 5:10 pm

The Council recessed the Closed Session at 6:05 p.m. and reconvened the meeting at 6:10 p.m.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nick Brown, Troop 842.

IV. COMMUNICATIONS
CITY MANAGER COMMENTS/REPORTS

Rick Davis reported that they are continuing with budget formation for fiscal year 2014-2015. He reviewed the schedule of presentation to the Council.

STAFF COMMENTS/REPORTS

Bryce Haderlie-

- Informed those in attendance of the 'Meet the City' event next Wednesday, March 5, 6:00-9:00 p.m. He reviewed the schedule of presentation to the Council.
- Asked if the Council had any concerns with naming the playground at Ron Wood Park the 'Sierra Newbold Playground'. The Council was in agreement.
- Inquired if the council would be in favor of using the Comcast Care Days donations for the playground. The Council was in agreement.
- Advised that volunteers were needed for 'I Love West Jordan/Comcast Cares Day on April 26, 8:00 a.m. to Noon.
- Informed that the West Jordan Journal was under new ownership, and the City would continue to participate.
- Wanted to confirm City Council's support in the creation of job descriptions, advertising, and interviewing for the Economic Director, Fleet Manager, and Administrative Assistant to the Fleet Manager positions prior to the new budget year, and to get the individuals on board by July 1. The Council agreed to proceed.

Wendell Rigby-

- Informed Council of a change order on the agenda for two items related to Ron Wood Park. The main road needed to be redesigned, and a second access point was required due to the additional amenities added.

- Commented that several positions were open that needed to be filled; a Water Operator IV, and a Parks Maintenance I position.

Doug Diamond-

- Informed Council that there was a badge pinning February 27, 2014, at 4:30 p.m. for the four recently hired officers. The staffing level was now at 109, and one more was needed to bring the department to funded level of 110. There would also be a lifesaving award presented to Officer Bickham. Immediately following the meeting was a retirement celebration for Officer Todd McBride, who retired in January.

Melanie Briggs-

- Provided Council with an update on the online GRAMA request program that would allow citizens to request records electronically.

Marc McElreath-

- Informed that this year participants in the IHC Heart Health Program were firefighters. A news story would be televised.
- Provided an update on the demolition of Station 54, scheduled for March 4. The project was on schedule.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Hansen-

- Updated the Council on the recent Sustainability Committee meeting that was held. One of the responsibilities of the Committee was identifying and applying for grants, but none of the members had experience doing so. Requested assistance from staff members.
- A Chair, Vice Chair, and Secretary had been chosen for the Committee to be submitted to Council for approval.
- Summarized the Community of Councils meeting she had attended. Primarily dealt with the moving of the State Prison. A location had not been determined, and it was unknown if the issue would pass through this years' Legislative session. Minutes from that meeting would be available for Council's review.

Councilmember Haaga-

- Educated those in attendance that according to the Wasatch Front Regional Council, there would be 221,000 residents in West Jordan City, based on the space currently available for housing construction.
- He related that Jordan Landing was a \$2 billion economic resource for the City.

Councilmember Southworth-

- Reported his experience with the Police Department and the firearms simulation training.
- Welcomed Boy Scout Troop 842.

Mayor Rolfe-

- Reaffirmed the attendance and volunteer efforts needed for the 'Comcast Cares Day/I Love West Jordan Day.'

V. CITIZEN COMMENTS

Alexandra Eframo, West Jordan resident, opposed any additional discussion on changing the West Jordan logo. She asked the Council and those in attendance to encourage efforts to stop domestic violence. She highly recommended the City name the playground after Sierra Newbold.

Mark Klotovich, West Jordan resident, wanted the City to recognize Lowell Hicks for saving the children at West Jordan School approximately 60 years ago.

Jaylynn Thomas, West Jordan resident, addressed the Good Landlord Program that the City had. She was unimpressed with the way the City enforced the program with regard to ensuring that the landlords do the required background checks or code enforcements. She was frustrated with the protection of the property owners' rights, versus the residents' rights. She mentioned that the City had taken some time to address her concern with the single rental property across the street from her home; and expressed concern with the City's ability to enforce the same rules to 224 units at Gardner Village.

There was no one else who desired to speak.

VI. CONSENT ITEMS

- 6.a Approve the minutes of January 16-17 2014; January 29, 2014; and February 12, 2014, as presented.**
- 6.b Approve Resolution 14-30, confirming the appointment of various members to City Committees.**
- 6.c Approve Resolution 14-31, authorizing the Mayor to execute a Capital lease for six vehicles each with an individual cost of over \$100,000.00 with SunTrust Bank, in an amount not-to-exceed \$1,125,000.00.**
- 6.d Approve Resolution 14-32, authorizing the mayor to execute Temporary Licenses between the City of West Jordan and Rocky Mountain Power to trade for the use of each other's property.**
- 6.e Approve Resolution 14-33, authorizing the Mayor to execute a Professional Services agreement with JRCA Architects, for the architectural services to design Ron Wood maintenance yard, in an amount not-to-exceed \$12,900.00.**
- 6.f Approve Resolution 14-34, authorizing the Mayor to execute an agreement with Wells Barker Construction, Inc. for construction of a solid waste maintenance building in an amount not-to-exceed \$33,743.00.**
- 6.g Approve Resolution 14-35, authorizing the Mayor to execute an Agreement with the North Jordan Irrigation Company for a one-time**

bridge design review fee of \$5,000 for the construction of the Jordan River Trail Bridge crossing at 8600 South.

- 6.h Approve Resolution 14-36, authorizing the Mayor to execute a License Agreement with the Utah Reclamation Mitigation and Conservation Commission (URMCC) for construction of the Jordan River Trail.
- 6.i Approve Resolution 14-37, authorizing the Mayor to execute a Cooperative/Maintenance Agreement with the Utah Department of Transportation for a Pedestrian Box Culvert Tunnel for the construction of the Jordan River Trail at 890 West 9000 South State Route 209.

MOTION: Councilmember Southworth moved to approve consent items 6a through 6i. Councilmember Haaga seconded the motion.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Absent
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 5-0

VII. PUBLIC HEARING

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 14-06, RATIFYING THE PLANNING COMMISSION APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN AND ESTABLISH RESIDENTIAL DENSITY OF 20.29 UNITS PER ACRE FOR THE STATION AND GARDNER MILL, FOR PROPERTY LOCATED AT 7659 SOUTH 1300 WEST, COLISIMO BROTHERS, APPLICANT.

Greg Mikolash said the subject site for the proposed development is 11.03-acres in size, consisting of undeveloped land located to the west of the existing *Gardner Village* commercial development and north of the City cemetery. Approximately 8-acres of the subject property was rezoned in 2001 to allow up to 12 dwelling units per acre; however, this and one other attempt to develop the property never came to fruition.

On July 17, 2007, the City Council placed the Transit Station Overlay District on the subject site and adjoining properties in an effort to ensure that transit supportive uses be built at this and the five other light rail station locations in West Jordan.

In 2011, the Future Land Use Map was amended for the existing *Gardner Village* commercial development. The City's Future Land Use Map was amended to the Town Center/Neighborhood Center TSOD, where the property was also rezoned to the P-C (Planned Community) zoning district. In April of 2012, the applicant applied for, and was granted, a Future Land Use Map amendment for the subject 11-acres and approximately 3.4-acres of land at the immediate northeast corner of 1300 West and 7800 South. (See attached minutes in Exhibit F). Specifically, this amendment changed the land use from Very-High Density Residential, Low-Density Residential, and Neighborhood Commercial, to Town Center/Neighborhood Center. The concept plan presented to the City Council for this rezone showed approximately 330 multi-family dwelling units on 22-acres of property, where portions of the project included residential development within the existing *Gardner Village* commercial development area (the current location of *Let's Play Soccer*).

Later in February of 2013, the subject and several surrounding properties were rezoned from SC-1 (TSOD), R-3-12(ZC) (TSOD) and RR-.5D (TSOD) Zones to P-C (Planned Community) (TSOD). In conjunction with this rezone request, the applicant submitted a scaled-back concept plan showing a total of 256 units on 11-acres of property for a density of 23.27 dwelling units per acre. (Minutes were included in the packet as exhibit F)

Throughout the land use amendment and rezone processes, City Staff had also been assisting the applicant through the development plan process to ensure that a quality multi-family development is designed to meet both the needs of the City and perform as a pedestrian-friendly and attractive gateway to a widely underutilized area. Several pre-application meetings were conducted throughout 2013 with the first official Subdivision, Site Plan, and Development Plan submittals occurring in July. The concept plans submitted for review at that time showed a further reduction in density from 256 units to 224 units on the same 11-acres of property for a total density of 20.29 dwelling units per acre.

On November 26th, the Design Review Committee (DRC) reviewed the project, suggesting minor changes to colors, amenity locations, and concerns regarding gateway features. The minutes of the DRC were attached as Exhibit D in the packet.

On January 21st, 2014, the Planning Commission considered approval of the Preliminary Site Plan and Preliminary Subdivision. The Preliminary Subdivision was approved in a 7-0 vote. The Preliminary Site Plan was approved in a 6-1 vote, where two conditions of approval were added. The first was a condition that a trail extension from the project to the existing HAWK signal adjacent to *Gardner Village* be 8-feet in width. The second condition was to add a hard base (gravel, concrete ... etc.) for a weed barrier behind the two garages located on the west side of the subject property (adjacent to the existing single-family properties).

Zach Jacob said he would speak against the motion because of the proposal not meeting Criteria #2: which states:

The proposed development does not have any detrimental effect upon the general health, welfare, safety and convenience of persons, residing or working in the neighborhood; or is not detrimental or injurious to the neighborhood.

Also on January 21st, 2014, the Planning Commission considered approval of the Preliminary Development Plan, and in a 7-0 vote, voted to forward a positive recommendation to the City Council to ratify the Preliminary Development Plan and its subject density of 20.29 units per acre for a total of 224 multi-family residential dwelling units. The minutes of the Planning Commission were included in the packet as Exhibit E.

The subject property was located within the Town Center/Neighborhood Center land use designation in the General Plan. This land use designation was created to serve three core areas of the City. There are currently three areas within the City that have this designation: the original downtown core located at the southeast corner of 7800 South and Redwood Road; the recently approved 40-acre TOD located north and northeast of the *Jordan Valley Hospital*; and, the area in the immediate vicinity and west of *Gardner Village*. Each location is within near proximity of a TRAX station. The General Plan indicates that the purpose of this land use is to: ... *create areas with a traditional main street or downtown character. The designation encourages the revitalization of areas to strengthen neighborhoods, expand local employment opportunities, and establish or enhance a sense of place.* One of the goals of the Town Center/Neighborhood Center designation was to support larger transit stations by the creation of mixed-use and residential village centers where people can live, work, shop, and play. The subject property was unique in the fact that it already had a fair amount of commercial development in an area without any substantial residential development located nearby.

The zone to which the property was located is Planned Community (P-C). The Zoning Ordinance states that the purpose of this district is to ...

... encourage imaginative and efficient utilization of land through the clustering of buildings, and the integration of compatible mixed uses (i.e., residential, commercial, recreational). The mix of uses is encouraged in order to create more convenient and effective integration of uses that work in concert to create a more attractive and desirable environment in which people can enjoy employment, residence and leisure within close proximity to each other.

The subject property's surrounding zoning and existing land uses are as follows:

	Existing Land Use	Zoning
North	South Valley Water Reclamation Facility/ Rural Residential	P-F/ RR-.5D
South	Cemetery / TRAX Station (across 7800 South to the east)	PF/C-G
East	Gardner Village (<i>Let's Play Soccer</i> facility)	P-C (TSOD)
West	Rural Residential (single-family homes)	RR-.5D

Subdivision:

Pertinent to the ratification of the Preliminary Development Plan was the fact that the property was being subdivided and that specific roadway improvements and dedications would incur because of this subdivision of land.

The applicant was proposing to subdivide 14.7-acres into one lot and one remainder parcel. Part of the subdivision would include a small right-of-way dedication at an ingress/egress point for a single lot (Lot 1). The remainder parcel (allocated as Remainder Parcel A on the plat) would be created at the southwest corner of Lot 1. This parcel would remain unimproved, as the applicant is not the property owner and it is unknown at this time what the use of the vacant land will be. No improvements would be associated with the remainder parcel the time. Once development is pursued, the remainder parcel would be converted to a lot through a separate subdivision process and applicable infrastructure improvements would be required at that time. Important to note is that some of the traffic congestion issues associated with the intersection of 1300 West and 7800 South would be alleviated upon improvement of this corner parcel.

Traffic/Circulation:

The single lot that was created as part of the overall project obtained access from 7800 South and 1300 West. Another private driveway would be constructed which connected the proposed project with *Gardner Village*. This connection would occur at the northeast corner of the project, where a bridge would be constructed over the North Jordan Canal. The driveway continued along the north side of the newly constructed *Let's Play Soccer* facility and then connected with the existing circulation system of *Gardner Village*.

One point of ingress/egress was located along 7800 South at the southeast portion of Lot 1. The City's Traffic Engineers met and coordinated with the applicant's engineers to produce a striping and traffic circulation plan that is both safe and convenient. The existing median along 7800 S. may be improved to better control access to all the proposed driveways at this location.

Another point of ingress/egress was at 1300 West at the northwest cherry-stem portion of Lot 1. This likely would serve as a secondary point of access for the development due to its location on a collector rather than an arterial road. A small area of dedication and improvement would occur at the entrance and essentially provide for an acceleration/deceleration lane for the proposed project.

There was certainly no doubt that an apartment complex of this size would affect existing traffic counts and circulation in the immediate area. That said the City's Engineering Staff coordinated with the applicant's consulting engineers to minimize and address traffic impacts to the area. Specifically addressed have been concerns regarding safe placement of striping, improved acceleration/deceleration lanes, and ingress and egress points at 7800 South and 1300 West – all of which were deemed appropriate and safe at this preliminary stage. A Traffic Impact Study (TIS) was performed to ensure that all proposed

points of access for the development will provide convenient and safe vehicular circulation. Because of the noted concerns and issues raised at the Planning Commission public hearing related to traffic and congestion, the applicant's consulting traffic engineer was on-hand to answer any issues related to traffic counts, future improvements, timeframes, and alleviation of congestion – amongst other things. City Staff had also been in contact with Questar Gas Co., who owned the property located at 7715 South 1300 West. Questar stated their intent to complete street frontage improvements as weather permits.

Engineering and Planning staff coordinated with the applicant and their consultants to ensure a safe pedestrian connection between the development and the TRAX station located immediately to the south of *Gardner Village*. There was a rather significant grade difference between the proposed development and the existing TRAX station; however, a safe and feasible pedestrian path (trail) was necessary as the project site was still within the confines of a planned Transit Station Overlay District, and was well within the walkability range for many residents that wished to utilize light rail over a personal vehicle.

Open Space/Trails:

The minimum required 15% open space and small recreation facilities (pool, clubhouse, central court yard... etc.) would be installed to serve the development. The project was being designed to accentuate open space and the outstanding views of the Wasatch Range. Open Space amenities/recreational facilities include:

- 30' x 50' infinity edge swim pool
- Pool house with restrooms, showers and pool equipment
- 12' diameter spa
- Centralized volleyball court
- Private club house
- Two picnic grills
- Park benches
- Trail extension

A trail would be installed from the existing HAWK (High Intensity Activated Crosswalk) signal to the project. This would allow for safe pedestrian access to/from *Gardner Village*, the TRAX station immediately south of *Gardner Village*, and the Jordan River Parkway.

Overall open space totaled 36.6 percent of the project site. This was 20 percent *over* the gross area of land that was required to be retained as permanent open space per the Zoning Ordinance for a Planned Community zone.

Underground utilities needed to be installed and/or upgraded to serve the proposed project. Below is a breakdown of each proposed utility:

- Water: A 10" water line existed along 7800 South. A new 8" water line needed to be installed within the development and loop the system with a connection at 1300 West and *Gardner Village* to the east.
- Sewer: An 8" sewer line would be constructed along the north border of *Gardner Village* with the construction of *Let's Play Soccer*, and stubbed at the northwest corner of the property. *The Station at Gardner Mill* proposed to connect to that stub, where also a new 8" sewer line would be installed throughout the proposed development.
- Storm Drain: As proposed, storm drain water was expected to release into the North Jordan Canal after being detained in an underground detention basin located immediately adjacent to and north of Buildings #4 and #5. Permission was needed to be obtained from the North Jordan Canal Company and Salt Lake County to release into the canal.
- Power: All existing and proposed power lines would be required to be placed within the ground.
- Trash Collection: Garbage/trash collection for the entire complex would be provided via private contract. The City would be responsible for any pick-up. HOA fees would fund collection.
- City Services: Police and fire would be able to serve the project adequately with stations for each being located at approximately 7950 and 8050 South Redwood Road respectively. The Fire and Engineering Departments reviewed the proposed plat and both indicated that driveways/roadways within the project were sufficient to provide fire protection and adequate ingress/egress to and from the project site. The Engineering Department reviewed the proposed utility plans and deemed that there was adequate stormwater drainage, sewer and water services.

The proposed project site was situated on a large infill parcel(s) that had been vacant and underutilized for some time. At least two attempts were made to construct a multi-family unit project on the subject property (Millview Condominiums and Lennox Hills), but neither progressed beyond final subdivision/site plan approvals.

The City's Future Land Use Map had both Very-High Density Residential and Town Center/Neighborhood Center designations on the majority of the property for some time. Commencing in 2003, the land use of the subject property was changed from Business Research Park to Very High Density Residential. However, there was an approximate 2-acre tract of land just east of the existing single-family homes on 1300 West that remained as Low-Density Residential until 2012. In April of 2012, the entire property to which the subject property is being proposed was changed to the Town Center/Neighborhood Center land use designation and rezoned to Planned Community (P-C). Planning Staff believed that with the physical introduction of the TRAX station and light rail commuter line approximately one-third of a mile to the east, that the current land use designation, zoning and uses would be beneficial to this area of the City.

Though any development of this size would be impactful to a certain extent and in several

ways (i.e., schooling, traffic, view corridors ... etc.), Planning Staff met and coordinated with the developer for several months in an attempt to ensure that the best possible development would be constructed with the least amount of impact to existing residents and businesses in the area. The applicant was made fully aware from Staff, residents in the area, the Planning Commission and City Council that providing the utmost in quality and design is imperative.

Structures/Units: As proposed, there will be a total of 224 units located in 5 buildings.

The number of bedrooms per unit is as follows:

- 1 bedroom – 80 units
- 2 bedroom – 104 units
- 3 bedroom – 40 units

Each of the residential complexes was designed to reflect more of a modern resort feel compared to how an apartment complex typically would. The predominant exterior materials were stone, horizontal and vertical lath exterior constructed of Fiber-cement board, with trim, parapet and façade accents constructed of (flat-surface) insulated metal paneling and stucco. Based on comments by Staff and the DRC, much more consideration was placed on the details of the facades, where previous iterations focused on red and blue façade colors and flat fiberboard paneling throughout the majority of each façade face. Per the Preliminary Development Plan, you will see that each façade was consistent and had the following design elements and features:

Enhanced covered entryways with columns.

- A usable balcony with decorative metal railings for each unit.
- Variation in rooflines with towered parapet walls at differing heights that bring a focal point to each entryway.
- Varying degrees of façade relief and four-sided architecture.
- Walk-out basements for those units which face west and the grade can accommodate the feature.

A clubhouse would be located near the south entryway of the project. The building itself would have 2 stories with a walkout basement and a pool area situated immediately to the north. Eleven parking garages would be distributed evenly throughout the designated parking areas, accommodating 65 single-car garage stalls. The overall parking would accommodate 395 parking stalls with guest and handicap parking minimums being met.

The overall footprint of all structures was just under 66,000 sq. ft. in area with 177,000 sq. ft. allocated to open space and landscaping.

The applicant provided preliminary building elevations for the proposed apartment structures, the detached single-car garages and the clubhouse. The apartments were 4-story structures (4 separate designs) with each complex not exceeding 49-feet in height as measured from the finished grade. The clubhouse was a 2-story structure. Because of the steepness of the slopes, the clubhouse measured 18-feet in height at the west elevation but approximately 28-feet in height at the east elevation. Section 13-5C-5 of the Zoning Ordinance states that structures within a Transit Station Overlay District shall be limited to

seventy-five feet (75') in height unless a greater height is established through approval of the development plan by the Planning Commission and City Council.

The proposed garages were single-story structures that measured just under 14-feet in height at their highest point (the tower parapets); however, the average height of the structures is approximately 12-feet. Staff has worked diligently with the developer to assure that the garages were not treated as remnant elements of the overall project. Staff required that each garage implement four-sided architecture and have the same amount of relief and modulation as the principle structures (and clubhouse) themselves. The Development Plan illustrated such a structure where vine trellises have been added to the sides and rears of several garages to assist in diffusing any windowless and bland elements of the garages, and otherwise enhance and beautify the overall project.

This was the first multi-family development in this part of the City. Except for Gardner Village to the east and the City cemetery to the south, most of the existing structures/uses in the immediate vicinity were single-family homes (approximately 6 in number) and residential in nature, and were located within a Rural Residential, half-acre zoning district (RR-.5). There were no practical means of compatibility comparisons between a modern apartment project in an infill project area and existing structures in the immediate area, all of which were constructed many years ago. That said, it was expected that those properties that were zoned Rural Residential (which are adjacent to the subject property), would eventually be zoned and improved to a more intensive use and fit well within the environment of 7800 South and 1300 West.

As mentioned in the background portion of this report, the DRC met on November 26, 2013, to review design, elevations and materials of the proposed project and, as stated previously, made several suggestions to the applicant. After this meeting, Planning Staff suggested further betterments to the building elevations, materials and design, all of which had been reflected on the set of drawings presented.

The proposed architecture should reflect exactly what the applicant was trying to create within the development, and that is the feel and resemblance of a resort-type of community rather than a traditional-looking apartment complex. The type of character proposed was not dissimilar to what was constructed in recent months throughout Bingham Junction to the east (in Midvale City), and throughout the valley.

If the City Council was unsatisfied with any design, layout, or architecture elements, the Council *can* have the applicant work with City Staff to solve any issues prior to Final Site Plan and Final Development Plan approval – backed through a condition of the Preliminary Development Plan ratification.

The grade of the project site was rather abrupt, particularly where the east property line meets the North Jordan Canal and also where the stem portion of the project abuts 7800 South. At the north property line, the property sloped approximately 35 feet from west to east in an approximate 250 foot span. Where the property line met the North Jordan Canal

the property dropped nearly 10 feet in less than a 30 foot span, where in some areas along the east property line, the property was even steeper. Because of these existing topographical situations, the eventual finished grade of the site necessitated the need for several areas of retaining and berming. Most of this retaining would occur immediately west of the proposed buildings – specifically between the buildings and the parking areas. Such berming would allow for the proposed walkout basements for the first-level units. Retaining was also necessary along the east borders of the property where the slopes abruptly descend toward the canal. From a vantage point at the intersection the southern entryway to the project, the proposed buildings would appear to be terraced; however, from the east, the project will appear somewhat elevated. The finished grades of the parking lots would appear gradual.

The applicant hired a geotechnical engineer to study the soils within the project area to determine what, if anything needed to be done with the existing soils, foundations, compaction, special retaining and grading.

Lighting for the buildings and parking areas would be adequate, aesthetic and scaled appropriately. The Preliminary Development Plan provided an example of the pedestrian theme-lighting that would be used throughout the proposed project.

In accordance with code requirements, the applicant would install a 6-foot Rhinorock wall along the north and west portions of the project where it abuts existing/differing uses. The Preliminary Development Plan detailed elevations and a color rendering of the proposed Rhinorock wall, and an example elevation of the proposed retaining walls that would be visible from the first-story walkouts of each of the complexes.

An entryway monument would be installed at the entrance at 7800 South. The design of the monument would mimic that of the proposed structures on the site but would double as a landscape planter and gateway sign.

The schools serving this area include:

- Elementary – Heartland
- Middle School – West Jordan
- High School – West Jordan

Per a previous discussion with the Jordan School District when this item was presented for the granting of the Future Land Use Map amendment and rezone – the schools as listed above would be able to serve the projected number of students expected from this project.

FINDINGS OF FACT – PRELIMINARY DEVELOPMENT PLAN

There were no specific findings of fact for Development Plans. A Development Plan was simply intended to be the textual and visual complement to a Site Plan serving as a foundation for all development on a specific site. Furthermore a Development Plan was meant to provide more detail as to those aspects of a proposed development which cannot be readily explained via a site plan or building elevation.

The Preliminary Development Plan as submitted adequately provided the information needed to comprehend the overall project. Preliminarily, the Development Plan as presented to the City Council, and previously the Planning Commission and DRC, adequately illustrated and explained the project as a whole. An Ordinance was attached with this staff report which, if approved, would entitle the proposed density and approve the Development Plan.

There would be no fiscal impact.

Staff recommended that based on the requirements listed in the Zoning Ordinance, the City Council ratify the Planning Commission's approval of the Station at Gardner Mill Preliminary Development Plan generally located at 7659 South 1300 West with a residential density of 20.29 units per acre for a total of 224 multi-family residential dwelling units.

Councilmember Hansen apologized for mistakenly giving a citizen incorrect information regarding ownership of a portion of road along 7800 south. It did belong to the City, she had thought it was under UDOT ownership and wanted to clarify the information she had given.

Tom Burdett provided information regarding the proposed Station at Gardner Mill development planning. He explained the importance of this portion of the preliminary planning stages for such developments as there was opportunity for adjustments to the design etc. before a final plan was approved. He expressed appreciation for citizen input and involvement in the process. He then turned the time over to Greg Mikolash.

Greg Mikolash presented the information contained in the staff report. Staff and Council discussed clarifying questions about the project.

Bill Baranowski related that the project had \$1 million of Federal funds to use. Design was projected for 2015, with construction in 2016. He answered clarifying questions.

Joe Colosimo, Salt Lake City-Applicant, related the history of the Colosimo family, their company's investments in the state of Utah, and that their interest was to keep this property as owners and not parcel it out to other developers. He mentioned that the intent of this project was to attract high-end renters, and to maintain the property to high standards. He provided a visual presentation of the project, and explained technical details.

Councilmember Southworth inquired about the design elements of the project; he was of the understanding that the development would incorporate similar elements as the Gardner Village development. It was explained that subsequent to a meeting with the Design Review Committee (DRC), the developer incorporated suggestions made to have a more modern design.

Councilmember Southworth also questioned the road connection between Gardner Village and the proposed development. It was explained that the road was the responsibility of the owner of Gardner Village, and would be installed as soon as the Fire Department signed off, before any occupancy, along with the pedestrian bridge. Questions about open space were posed and answered.

Councilmember Stoker asked clarifying questions regarding the timing of the bridge installation. He expressed concern and the desire for crosswalks or pedestrian flashing beacons to assist children crossing for school.

Mayor Rolfe inquired about the developer's intent to have the project be apartments rather than condominiums. The developer explained that in his experience condos had the tendency to be rented out by the individual owners, creating a multiple landlord situation. The Mayor also asked if the consideration had been made to create a 55 and older community to alleviate the impact on schools. The developer stated that the topography of the property made it unattractive for a senior community.

Councilmember Haaga inquired about the traffic study on 7800 South 1300 West. Time was turned over to the developer's traffic engineer, Ryan Hales, for clarification.

Ryan Hales, Hales Engineering, detailed the process of gathering data for traffic studies. He explained that with the information from the City regarding the planned improvements of the intersection, compiled with the data from the traffic study, the additional traffic from the proposed apartment complex would not have an adverse effect on the traffic flow of the intersection.

Councilmembers and Mr. Hales discussed clarifying questions. It was noted that once the project and City improvements were completed, the intersection would improve from a grade 'D' to a grade 'C' in service.

Mayor Kim Rolfe opened the public hearing.

Letiza Wetzel, West Jordan resident, expressed concern that the proposal was contrary to the Planned Community Zoning intent. She also expressed a desire for a mix of apartments with individually owned dwellings and single family homes.

Kelvin P. Green, West Jordan resident, opposed the development the way it was presented, and wanted the mixed use of the property the way it was zoned.

Creighton Omer, West Jordan resident, opposed the proposal due to specific concerns including pedestrian safety, the Jordan Canal's ability to receive the additional water discharge and at what rate, and also the area schools' ability to accommodate additional students.

Alexandra Eframo, West Jordan resident, opposed the development, citing parking concerns, and lack of sidewalks on 1300 West. She also expressed dissatisfaction with the flat roofed design of the buildings.

Jared Muck, West Jordan resident, cited concerns regarding traffic. Suggested a senior community, or a condominium complex with a stipulation they have to be owner-occupied.

Jaylynn Thomas, West Jordan resident, cited concerns regarding enforcement of the Good Landlord program, referencing personal experience with a rental property across the street from her residence. Expressed concern with the Police and Fire Departments' abilities to adequately accommodate the influx of population an apartment complex would add to the community.

Greg Taylor, West Jordan resident, encouraged the Council to deny approval of the development, citing concerns with the elementary school's ability to accommodate additional students, and traffic issues.

Michelle Flint, West Jordan resident, expressed her concerns regarding the number of apartment units within the two-mile radius of the proposed development. She stated that the current proposal was not what had been initially put forth and approved by the City Council.

James Shuster, West Jordan resident, opposed the apartment units due to the transient nature of the residents. He was concerned with having children walking to school, or catching a bus near the location.

Karen Hess, West Jordan resident, encouraged the Council to consider how classroom sizes would be impacted at Heartland Elementary. She also expressed concern with the children waiting for buses or walking to and from school, and the danger posed to them by the traffic.

Chris Hansen, West Jordan resident, was concerned with the height of the buildings blocking the view of the existing homes; suggested removing a level. Also, he mentioned traffic concerns and the amount of parking places in the complex.

Lynn Snow, West Jordan resident, expressed concerns regarding traffic, increase in criminal activity, and the building blocking the view from his home.

Heidi Snow, West Jordan resident, opposed the construction of an apartment complex due to concerns with the height of the buildings blocking the view of her home, the density of the proposed buildings, and traffic issues.

Debbie Davenport, West Jordan resident, asked if the traffic study included Gardner Village and expressed concerns with the height of the proposed buildings. She opposed the development.

Ben Watson, West Jordan resident, presented to Council reasons to oppose the development; including the development was not true to the intent of Planned Community zoning; the traffic concerns such a development would bring; the cost of acquiring properties to widen 1300 West to accommodate increased traffic; increased criminal activity; and the lack of grocery stores and other commerce that would make it a true mixed-use community.

Eric Carlsen, West Jordan resident, expressed concerns with the Jordan River Parkway and the lack of a pedestrian-friendly way to get across 7800 South and the increased traffic an apartment complex would add to the area.

Carolyn Newman, West Jordan resident, opposed the development due to the impact on the neighborhood and home values therein.

Kim Walton, West Jordan resident, presented reasons to table the proposal and asked clarifying questions.

Eric Tuttle, architect for project, presented positive benefits for the project. He mentioned other similar projects that had positive impacts on the communities in which they were built. He argued that the view would not be blocked due to perspective.

Miller Wilkinson, West Jordan resident, suggested that Councilmembers drive during peak hours at the intersection in question to experience what it was like for residents before making a final decision.

Daryl Newman, West Jordan resident, opposed the projects as the plans are presented. He believed they were contrary to the Planned Community zone.

MOTION: Councilmember Haaga moved to extend the meeting to up to 10:00 p.m. The motion was seconded by Councilmember Stoker.

A roll call vote was taken.

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Absent
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 5-0

Natalie Groves, West Jordan resident, disapproved of the development as presented. The height of the project was of concern to her.

Richard Evans, West Jordan resident, approved of the development. He stated that a new, fresh look was needed in the area.

Mark Matthews, architect for project, stated his wife teaches school in West Jordan. He suggested that an apartment complex in the area would be good for the City, and that the Colosimo Brothers were providing a product that would appeal to high income renters.

Ben DeSpain, West Jordan resident, related that the citizens of the community have stated their displeasure with the project, and it should be rejected.

Ronald Parsons, West Jordan resident, opposed the project due to the area being congested already.

Mark Perry, West Jordan resident, opposed the project as a rental development.

Matthew Watson, West Jordan resident, opposed the apartment complex due to increase of criminal activity.

Joe Long, managing owner of Gardner Village, argued for the development. He stated that the plans were in line with a Planned Community zone, as there were lots yet to be developed that could possibly be used for a grocery store or other retail to serve the community. He assured that Gardner Village would be responsible for bridge installation.

Jarem, West Jordan resident, expressed his discontent with the project and the impact it would have on traffic.

Marc McElreath addressed the bridge and clarified that it would be the responsibility of Gardner Village to install, regardless of the type of project that goes on the property.

Joe Colosimo expressed his appreciation for the community's input and the Council's time.

Mayor Rolfe closed the public hearing at 9:14 p.m.

MOTION: Councilmember Haaga moved to deny Ordinance 14-06, The Station at Gardner Mill Preliminary Development Plan for property located at approximately 7659 South 1300 West. I also move that the Preliminary Development Plan be denied with a residential density of 20.29 units per acre for a total of 224 multi-family residential dwelling units on 11.039-acres of property.

The motion failed for lack of a second.

MOTION: Councilmember Stoker moved to table the item until the meeting on April 2, to allow the additional City Councilmembers to be in attendance, and consider the comments made. Councilmember Southworth seconded the motion.

A roll call vote was taken.

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Absent
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	No

The motion failed 3-2

MOTION: Councilmember Stoker moved to continue the meeting to April 2 to allow the applicant to meet with the neighbors to address their concerns. The motion was seconded by Councilmember Hansen.

A roll call vote was taken.

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Absent
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 4-1

MOTION: Councilmember Southworth moved to take a 10 minute recess. Councilmember Hansen seconded the motion.

A roll call vote was taken.

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Absent
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 5-0

The meeting recessed at 9:28 p.m. and reconvened at 9:39 p.m.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 14-38, AMENDING THE GENERAL FUND, BUILDING
CAPITAL FUND, CAPITAL SUPPORT FUND, PARK CAPITAL FUND,
ROAD CAPITAL FUND, AND STORM WATER FUND, STORM WATER
FUND OF THE FISCAL YEAR 2013-2014 BUDGETS; AND ALSO THE CITY
WOULD LIKE TO NOTIFY UTILITY CUSTOMERS THAT IT HAS NOT
ASSESSED CITY DEPARTMENTS FOR UTILITY SERVICES IN FY2014.**

Ryan Bradshaw reported that several proposed budget adjustments were presented and discussed at the February 12, 2014 City Council meeting. The budget adjustments are now being presented for formal adoption by the City Council. The various adjustments can be categorized into three categories as follows:

- **Category A – Current Year:** These adjustments were generated by activities and decisions relative to operations in our current 2013-2014 fiscal year. The adjustments were funded primarily through use of fund balance, although there were grant revenues associated with some of the adjustments. The adjustments were outlined in the attached schedule titled, “Category A – Current Year.”
- **Category B – FY 2015 Supplemental Requests – Operating:** These adjustments were generated by moving supplemental requests made for the FY 2015 budget through the “Green Sheet” process ahead into this current fiscal year. The adjustments were funded solely through use of fund balance. The adjustments were outlined in the attached schedule titled, “Category B – FY 2015 Supplemental Requests: Operating.”
- **Category C – FY 2015 Supplemental Requests – Capital:** These adjustments were generated by moving supplemental requests made for the FY 2015 budget through the “Green Sheet” process ahead into this current fiscal year. The adjustments were funded solely through use of fund balance. The adjustments are outlined in the attached schedule titled, “Category C – FY 2015 Supplemental Requests: Capital.”

Of special note in the budget resolution was the addition of section 3, relating to the City's practice of not charging utility fees (water fees, sewer fees, etc.) to City Departments. Our independent auditors informed us that we were required to notify the citizens of the City that we did not charge ourselves for the utility services that we use and that the inclusion of this language in the resolution satisfies the notification requirement.

The addition of this clause in section 3 was not due to any change in practice by the City, but rather a result of a particular focus by the Utah State Auditor's Office. In the future, we will include a similar clause in our annual budget adoption resolution to satisfy the notification requirement.

Several budget adjustments were needed to reflect new or revised activities since the development of the 2013-2014 budgets.

Revenue and expenses would change equally as follows: General Fund \$3,564,495; Road Capital Fund \$43,208; Parks Capital Fund \$586,500; Buildings Capital Fund \$392,600; Stormwater Fund \$2,000,000.

Ryan Bradshaw provided the following PowerPoint presentation:

CATEGORY A - CURRENT YEAR

- Transportation Master Plan Carry Forward - \$85,000
- HAWK Signal on Cernates Drive - \$43,208
- Emergency Management Program Grant - \$10,000
- State Homeland Security Program Grant - \$15,847
- Salt Lake County Hazmat Pass-thru Funds - \$68,756
- From Fund Balance amount is \$8,756 -
- Additional (3) Snow Plows - \$12,433
- Detention Basin - \$2,000,000
- Parks, Trails and Open Space Outreach - \$30,000*
- Lobbyist for Redwood Road Improvements - \$50,000**
- Addition: 2013 SHSP Grant
- Fire - \$8,944
- Police - \$4,277
- Total - \$2,328,465
- Effect to General Fund Balance - \$2,229,397

**CATEGORY B – FY 2015 SUPPLEMENTAL
REQUESTS: OPERATING**

- Fire Suppression System - \$16,000
- Defibrillators – \$118,728
- Ballistics Glass - \$32,000
- Anti-texting Program - \$8,000
- School Zone Flash Assemblies - \$12,000

- Concrete Repair Equipment- \$6,150
- Video Camera and Equipment - \$8,000
- Branding - \$8,650
- Cameras and Installation in Police Vehicles - \$47,402
- Total - \$256,930
- Effect to General Fund Balance - \$256,930

**CATEGORY C - FY 2015 SUPPLEMENTAL
REQUESTS: CAPITAL**

- Secondary Irrigation Pumps
- Soccer Complex - \$175,000
- Veteran's Memorial - \$175,000
- Culinary Back-up Connections - \$30,000
- Replacement of Irrigation Control Wires - \$35,000
- Shotcrete/Concrete for Irrigation Holding Pond at Veteran's Memorial - \$171,500
- Replace Chiller at City Hall - \$392,600
- Total - \$979,100
- Effect to General Fund Balance - \$979,100

Ryan Bradshaw reported a last minute change, to increase the budget by \$86,307 for the chiller for City Hall. He reiterated for the citizens that the City would not be billing itself for utility services for fiscal year 2013-2014.

Councilmember Southworth inquired about the lobbyist for obtaining federal funding for the Redwood Road Project. He wondered if there would be a better value for the money if it was split between two firms, for two separate projects.

Rick Davis explained the selection process in choosing Rob Jolley and his company for this purpose. He expressed that Mr. Jolley was tied into transportation specifically, had an awareness of where the funding might lie, knew the status of the funding, and had a relationship with the master developer working on the Redwood Road project.

Councilmember Southworth questioned if \$50,000 for one firm would be better than splitting the contract between two. He argued that splitting the contract would allow different relationships and different contacts, to maximize the value for the money spent by doubling the lobbying efforts.

Rick Davis countered that if the contract were split, the individuals would still have to come together and work in conjunction for the City.

Mayor Rolfe opened the public hearing

Alexandra Eframo, West Jordan resident, felt that \$50,000 was too much money for hiring a lobbyist.

There was no one else who desired to speak.

Mayor Rolfe closed the public hearing.

Councilmember Southworth continued to question the lobbyist issue, and wanted more review on the issue.

Councilmember Stoker clarified that the budget amendment would not be approving any contracts, just approving the funding.

Councilmember Haaga stated that the lobbyist in question should be used, and was in support of the issue.

MOTION: Councilmember Stoker moved to approve Resolution No. 14-38 amending the budgets for the affected funds for Fiscal Year 2013-2014. Councilmember Hansen seconded the motion.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Absent
Councilmember McConnehey	Absent
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 5-0 in favor

VIII. BUSINESS ITEMS

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-39 CONFIRMING THE CITY COUNCIL APPOINTMENTS TO THE WEST JORDAN CDBG/HOME COMMITTEE.

Tom Burdett explained that West Jordan Municipal Code authorized the City Council to approve citizens to serve on various committees established by the City Council, which includes the CDBG/HOME Committee.

The purpose of the committee was to review proposals received from public service agencies and proposed City uses of the annual allocation of Community Development Block Grant (CDBG) and HOME Program funds. The committee prepares and submits

recommendations for funding to the West Jordan City Council for their review and approval.

An additional requirement of the CDBG/HOME Committee was to review and assist in the continued update of the FY2010-2015 Five-Year Consolidated Plan and FY 2014 Annual Work Program for the CDBG Program.

There was no fiscal impact.

Staff recommended approval of the resolution appointing members to serve on the West Jordan CDBG/HOME Committee

Councilmember Stoker asked if there was a schedule for the meetings. It was explained that it was up to the committee to establish times, that they were usually on a Wednesday.

Councilmember Hansen related that she had served on the committee last year, and was surprised by the need in the community. She believed that it was a great opportunity for anyone who wanted to be involved.

Councilmember Haaga volunteered to be on the committee.

MOTION: Councilmember Southworth moved to approve Resolution 14-39, nominating Councilmember Haaga as City Council representative, and confirming the City Council appointments to the West Jordan CDBG/HOME Committee. Councilmember Stoker seconded the motion.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Absent
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-40, AUTHORIZING STAFF TO PROCEED WITH A PURCHASE ORDER WITH TRANE BUILDING SERVICES FOR PURCHASE AND INSTALLATION OF A REPLACEMENT CHILLER AND COOLING TOWER TURNKEY FOR CITY HALL, IN AN AMOUNT NOT-TO-EXCEED \$400,922.00.

Wendell Rigby reported that according Trane Building Services, the original installer and maintenance contractor of the City Hall chiller system, the chiller was at 200% of its life expectancy. The chiller could have lasted a while longer or could have gone out at some point in the near future. If the chiller were to go out permanently, it would have taken about three months to order a new chiller and have it delivered and installed. The City would have needed to rent a chiller to keep the building operational during this period. The cost to install and rent a temporary chiller was about \$30,000 per month.

With the above information made known, the City Manager had determined it was in the best interest of the City to replace the chiller at that time. This was a sole source contract with TRANE Building Services, since the entire HVAC system in City Hall was TRANE, and should remain compatible.

It was also reported that funding for this project was available in the Capital Support fund.

Jim Riding explained that the increase of requested funds to \$478,952 was due the equipment being upgraded slightly to be more efficient. He informed the Council that chiller that would be ordered would be 13% more efficient than the existing equipment. The way this particular chiller is designed reduces the time that it was in operation, resulting in a cost savings and reduced wear and tear.

Bryce Haderlie related that the expected return of investment on the 15% additional cost would be 20% in operating costs, and the life expectancy would increase by 16-20%, in addition to the 13% energy efficiency increase.

Council asked clarifying questions.

MOTION: Councilmember Southworth moved to adopt Resolution No. 14-40 authorizing staff to proceed with a Purchase Order with Trane building Services for the purchase and install of a chiller and cooling tower turnkey for City Hall in an amount not to exceed the amended amount of \$478,952.00. The motion was seconded by Councilmember Haaga.

A roll call vote was taken.

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Absent

Councilmember Nichols	Absent
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING UTILITY RATE STRUCTURE

MOTION: Councilmember Southworth moved table the discussion and possible action until a date uncertain to allow all Councilmembers to be present. Councilmember Hansen seconded the motion.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Absent
Councilmember McConnehey	Absent
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-41, EXPRESSING THE INTENT TO DESIGNATE THE STONECREEK ASSESSMENT AREA; AND THAT THE CITY COUNCIL APPROVE THE FORM OF NOTICE AND DIRECT THE MAILING OF THE NOTICE TO PROPERTY OWNERS WITHIN THE PROPOSED ASSESSMENT AREA.

The Stone Creek development area contained approximately twice as much park acreage *per capita* and approximately four times the open space acreage *per capita* than the "normal" City neighborhood. This meant that if Stone Creek gets only the same attention given by parks maintenance personnel and budget to the City generally, Stone Creek residents arguably get 50% less park maintenance and 66 2/3% less open space maintenance. The assessment area concept provided funding for improvement of these maintenance levels in Stone Creek.

Because the Stone Creek area was substantially developed, an assessment levy would have also needed to be approved and levied from the start, if the Council ultimately decided to designate and establish the Stone Creek assessment area (decision now scheduled for early May 2014). The City committed to provide 20% of the maintenance budget for the Assessment Area to assure that property owners in Stone Creek get the benefits of City-wide park maintenance assured generally through the payment of property taxes.

There was a political stress point where the level of maintenance intersects with the cost to be assessed to the average home owner. Over the past two years of discussions with the property owners in the Stone Creek area, a monthly assessment in the area of \$4.00-\$7.00 has gained the greatest political support. Within this constraint is the moving target of what can be achieved in the way of increased maintenance. Reasonable minds can differ as to what could be accomplished. We settled on a \$73,900 first year budget and a \$6.66 monthly residential assessment. The current City maintenance efforts at Stone Creek, begun only last year, are achieved through three third party contracts totaling approximately \$38,000. This means that the assessment area would provide an additional approximately \$35,900 of maintenance dollars. Ultimately, it would be up to the City Manager just how to implement the purpose of the assessment area and how to squeeze the greatest bang for the buck.

In any year, the actual costs of the assessment area may exceed, or be less than, the budget used to set and levy assessments. The City may need to cover budget overages, and can be reimbursed through budget underages. Moreover, because maintenance work is seasonal, and the assessment levy is collected all year long, there may be periods of time in which the City would advance costs and services that would be paid back as assessments are collected. The City Council can revisit the assessment levy periodically to adjust the levy as needed for changes in costs and the addition of new open space, residences and commercial space in the area.

The Resolution of Intent would trigger the mailing and publication of a Notice of Intent to Designate Assessment Area. This Notice provided material information about the Assessment Area to the property owners in the Stone Creek area, and enabled them to file a written protest if they desire. The Notice provided a 60-day period within which a property owner can submit a written protest. If 50% or more of the property owners protest, the City may not proceed with the Assessment Area. There would be no assurance, however, that even with a lower protest levels the City Council would agree to take the final step and approve the Assessment Area and levy the assessment for 2014.

While not a legal part of the Assessment Area process, there was an important political condition to the City's willingness to move forward with the Stone Creek Assessment Area.

Over 10 years ago the residents of Stone Creek were promised a high level of public improvements, with maintenance through a Special Service District. The developer failed to provide the promised public improvements and the Special Service District was never finally implemented by the City. Over the years these failures have festered in this community into a major lack of trust. In meetings with this community, it became clear that there was only limited resistance to the concept of an Assessment Area, given a similar structure was promised from the beginning. The great resistance was to proceeding with an Assessment Area without the completion of at least a significant amount of the missing open space improvements.

Through creative thinking by the city staff, a concept was developed whereby certain open space land now owned by the City in Stone Creek would be platted and developed by the City into building lots. Through the sale of these lots, the City would develop funding needed to construct and complete many lacking public improvements within Stone Creek. In meeting with citizen committees, it was this willingness by the city staff to pursue construction of missing public improvements that developed a trust in the Assessment Area process.

As a practical matter, the Assessment Area needed to be established ahead of the development and sale of the residential lots by the City, in order to improve maintenance within the existing Stone Creek open space areas without waiting for the longer time line of the development process. If the City Council was not interested in a Stone Creek Assessment Area, then the City would not waste the resources to develop and sell residential lots. The converse is also true: if the City Council is not amenable to taking City open space land and using the proceeds from the sale of that land to construct open space improvements promised but never delivered to the residents of Stone Creek, then there is no political gain to be had by establishing an Assessment Area.

Staff recommended moving forward with the Resolution of Intent to Designate and Establish the Stone Creek Assessment Area.

This Assessment Area would provide funds to support and improve the ongoing maintenance of open space public improvements within the Stone Creek Master Development Area.

Following many public meetings and citizen input, the staff proposed the designation and implementation of an assessment area covering the Stone Creek development. This resolution of intent was the first step in that process.

POWERPOINT PRESENTATION

- Stone Creek Assessment Area Boundary map provided
- PUBLIC PARTICIPATION-Citizens were invited to work with staff during 2012-2013 to plan for improvements to the area and an assessment to pay for the additional open space and park area care.
- Stone Creek Assessment Area – Year 1 map provided
- Photo of Daybreak natural vegetation to manicured lawn transition provided

StoneCreek Assessment Area - Open Space Calculations						
	Type	Status	Total Area in Sq. Ft.	Manicured Sq. Ft.	Native Sq. Ft.	Comment
Year 1 (see Map #1)	Existing City Dedicated Open Space/Park	Existing	1,446,483	273,953	1,172,530	Area that is currently dedicated and maintained by the City.
	Existing Manicured Open Space dedicated as parkstrip/buffer/median	Existing	108,599	108,599	0	
	Proposed Enhancements to Stone Creek Open Space areas	Proposed	0	70,798	-70,798	
	Total of existing City Dedicated Open Space as of 2-12-14	Totals	1,555,082	453,250	1,101,732	
At Build-out (see Map #2)	Area of 7 dwellings along Amethyst	Proposed	84,000	0	-84,000	As proposed - dedicated & maintained by SCAA
	Yet to be dedicated area between Island Park and The Ranches	Proposed	274,446	0	274,446	Per the Stone Creek Master Plan - area yet to be dedicated
	Yet to be dedicated areas of Clay Hollow E and Town Center E	Proposed	159,865	159,865	0	
	Total of ALL Open Space upon all future dedication and if 7 dwellings are constructed (at build-out)	Totals	1,905,393	613,215	1,292,178	Per the Stone Creek Master Plan, exclusive of community gardens, parkstrips, medians or buffers
	Proposed New Trees	Proposed	35	na	na	As proposed - dedicated & maintained by SCAA
	Proposed New Benches/Receptacles	Proposed	5	na	na	
	Linear feet of existing trail	Existing	3194 linear ft.	na	na	Area that is currently dedicated and maintained by the City.
	Linear feet of future trail	Proposed	1522 linear ft.	na	na	

- The top four rows are the current calculations for the area. The second four rows are the anticipated calculations at build-out. The next two rows are the proposed improvements that will be paid for by the development and sale of up to seven building.
- Stone Creek Assessment Area – At Build Out map provided
- Open space area east of park proposed for residential building lot development and sale which will fund the remaining improvements. (photo of area included)
- Open space area west of park proposed for residential building lot development and sale which will fund the remaining improvements. (photo of area included)
- The park strip on the south side of Grizzly Way will be finished with manicured lawn and trees with funds from the sale of lots on City property. (photo of area included)

**Aggregate data from the 22 responses to the surveys provided at the
Stone Creek Open House-Jan. 9, 2014 at West Hills Middle School
Support for the Stone Creek Assessment Area**

Yes: 20*
No: 0
Undecided: 2
No Response: 0

Comments regarding support for the Stone Creek Assessment Area:

- I like keeping the area improved + finished. Thank you for the presentation and time... the trees on Grizzly Way should be completed and done no matter what as it would be consistent with the rest of Grizzly Way.
- I think we have enough parks. Please don't charge any more than \$5.00 a month.
- We knew about the SAA when we bought the house.

- I feel that a \$5-\$10 assessment is acceptable and appropriate to maintain and keep the common areas nice and safe.
- I like the simplified updates, much more reasonable than other proposals I've seen.
- Do not see the need for benches – like the receptacle idea. Until the pathways (trails) are complete I don't see the need for additional lighting.
- The sooner the better.
- I am not decided on the grass areas that are proposed but I do like the idea of finishing + maintaining the trail as well as planting trees.
- Yeah vote is "only because I am selling soon". Ranches already has an HOA I can hardly afford.
- If you are going to spend this kind of money make the trails concrete not asphalt that needs fixing or replacing every couple of years.
- I would love to see the city put more time and effort into improving the trail area.
- Time to move on now, the city controls the area.
- The assessment area needs to include all properties that are in close proximity. The area should be expanded to the New Bingham + Grizzly Way.

Support for the installation of 6 to 7 single-family dwelling units to supplement enhanced open space or to provide amenities?

Yes: 15

No: 2

Undecided: 3

No Response: 2

- I do not want the lots because I bought my house with the understanding the area across the street would be open space. I am frustrated that the city is not meeting its obligation. I understand that selling lots is the best way to pay for improvements and I do want the space developed some way
- Absolutely not. We are on Amethyst and the reason we chose to build/buy the lot we did was because there was not a home across the street. We did our homework and there was no plans for building in front of our house.
- As long as the lots are developed and maintained to the same standards as the existing neighborhood.
- I may feel differently if I lived across from it but I think revenues are most important to limit increased assessment fees.
- I realize that the money to improve the area must come from somewhere and I'm willing to help front the costs with monthly fees / taxes. What concerns me is the impact to Hayden Peak by increased housing. The school is already overcrowded and my son needs special attention as it is. I would be upset if the school became much more crowded.
- Too much land to keep up and costs need to be considered.

Suggestions to further improve the open space/park system in Stone Creek

- Install gates on park – parking lots to limit access afterhours.

- Install the proposed disc golf course.
- Expanding the assessment area. The neighborhood east of 4800 west utilizes the common areas just as much, if not more than the individuals in the current assessment area. This may eliminate the need for the lots.
- Addition of a “Vita” course around the park. (2 comments)
- Some form of centralized repository for information regarding the assessment. A website would be helpful.
- Rezone and also sell 3 more lots in copper canyon way so there is residential and “bok sdays”??? at copper canyon way reduce the size at the small office lot on new Bingham highway and 4800 w to make room for the residential lots.
- Signs with doggie “stuff” bags would be nice or just sights that encourage owners to be responsible. (2 comments)
- Would like to see an increase in weed reductions and support improvements in natural grasses.
- My big concern is the upkeep once it’s done.
- I would like to see the extension of the trail from under the road up to the sidewalk.
- I’d love to see the trail connect up with the highland trails.
- Community gardens (3 comments)
- Have residents assigned and shown where water outlets are to help water the trees properly. Maybe see if home owners want to extend yards to join with their own property. Have home owners get involved somehow to help the city make things the way they should be and everyone will be happy.

* 25 people signed the Sign-in sheet

Council discussed clarifying questions.

Councilmember Haaga suggested tabling the discussion until a later date.

Jeff Robinson related that this was a time-sensitive issue, and the vote was intended to authorize the mailing of the notice, not a vote to authorize the assessment at this time.

MOTION: Councilmember Stoker moved that the City Council approve Resolution 14-41 expressing intent to designate and establish the Stone Creek Assessment Area and authorizing the mailing of notice to affected property owners. Councilmember Hansen seconded the motion.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Absent

Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 4-1

**DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A
NEW CITY LOGO**

This item was continued until a later Council meeting.

IX. REMARKS

X. ADJOURN

**MOTION: Councilmember Southworth moved to adjourn. The motion was
seconded by Councilmember Stoker and passed 5-0 in favor.**

The meeting adjourned at 10:15 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

**Kim V. Rolfe
Mayor**

ATTEST:

**Melanie S. Briggs, MMC
City Clerk**

Approved this 12th day of March 2014